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COUNCIL GOVERNMENT *VERSUS* MAYOR GOVERNMENT. I.

I.

THE most striking tendency in the recent history of American municipal government is that toward increasing the power and responsibility of the mayor. There is scarcely an important city which has not modified its charter in this direction within the past quarter-century. The practically exclusive control which the city council formerly exercised over the executive administration has been by gradual steps almost completely taken away ; while even what have always been considered essentially legislative functions, especially those pertaining to the finances, have been in no small measure transferred to the city executive. At the same time, there has been a rapid centralization of the executive power itself. Heads of departments were formerly for the most part placed in office, or at least retained there, regardless of the will of the incumbent mayor ; but by the most modern charters they are nearly all made appointive and summarily removable by him. In New York, Boston, Chicago, Cleveland and several other leading cities, the right of confirming appointments, the last remaining means by which the council could exercise some direct control over the *personnel* of the executive, has now been abolished, while in other municipalities it is retained only as a concession to tradition and conservative influences.

This great change in municipal organization, moreover, has not been, like so many others, brought about simply by thoughtless, partisan or corrupt legislative tinkering. While in many cases such influences have doubtless shared in the movement, it has yet met the approval—though in differing degrees and according to different lines of reasoning—of very many of those who have disinterestedly sought better muni-

cipal government. It has the sanction of such names as those of Seth Low, Gamaliel Bradford, Edmund J. James and Frank J. Goodnow. The latest and most authoritative utterance as to the relation of the council to the mayor is to be found in the report of the municipal program committee of the National Municipal League, published with the approval of the League in 1899. The committee does, indeed, maintain the desirability of rehabilitating the decaying city council, but urges that this body be confined strictly to legislative functions ; while the probability is that the suggested methods of increasing its influence would prove relatively ineffective in practice. The proposed general municipal charter provides that the mayor shall have the sole power of appointing and removing all executive officers except the comptroller ; and that he shall be given also the exclusive right to initiate appropriation measures, leaving the council only the authority to reduce items of the estimates submitted.

Had the increase in the prerogatives of mayors not been accompanied by a very great weakening, often by the almost complete annihilation, of the power of our city councils, it would perhaps call for less comment. Could it be considered as having merely introduced that separation of powers which is the main principle of our constitutional law ; had city legislatures retained a prominence corresponding to that still possessed by Congress and state legislatures, — we should have no new problem in the science of politics. We should have simply the old question, whether or not this system, with its checks and balances, is after all more advantageous than that which gives the ultimate control and responsibility to the representative body alone ; with the additional inquiry whether, granting the desirability of the separation of powers in the higher grades of government, it is equally feasible and desirable in the city. But the actual standing of the city council is far different from that of our state and national legislatures. Already in many cities either the council has been deprived directly by statute of all save relatively insignificant powers, or in practice, despite the legal form of authority, its real influence

has dwindled almost to zero. In both New York and Brooklyn, prior to their consolidation, we saw "a local elective legislature with practically no power"; while under the Greater New York charter the sphere of the council is apparently increased by little more than "certain obstructive powers," which are scarcely likely in actual working to restore it to a position of influence.¹ The council still retains in most cities the relatively unimportant function of making ordinances concerning the conduct of citizens—as to nuisances, use of streets, *etc.* It still grants franchises, though often the executive participates very largely in this power. It still has some control over expenditure, although, under the new practice of giving the initiation of financial measures solely to the executive, the council has often ceased to have much real weight in determining the budget.² Other powers than these, as regards either the broad policies or the details of administration, the council in many cities has almost none: the state legislature or the municipal executive has absorbed them all. Unless there shall be a turning in the tide, the once all-powerful city council seems likely to become a mere useless fifth wheel in the American municipal chariot.

Some, indeed, of the friends of good city government have watched this emasculation of the council with regret and apprehension and have advocated measures, usually rather ineffective, for restoring some of its pristine vigor. But others have seen in this process only the steady withdrawal of power from dangerous hands to place it in safer ones. The council is widely discredited. The name of alderman is used as if synonymous with "boodler" and "ward-heeler." "It is not entirely clear,"

¹ H. E. Deming, "The Legislature in State and City," Louisville Conference for Good City Government, p. 91.

² In New York City before the consolidation, the law itself had taken from the council all but merely advisory control over the expenditures, and its advice was so invariably disregarded that in despair it ceased to volunteer any whatever. It is also noteworthy that, though the Greater New York charter gave to the Municipal Assembly the right to reduce the estimates submitted, the tradition of inactivity was so strong that that body in 1898 passed without the reduction of a single dollar in any item a budget presented to it which carried the enormous sum of ninety-five million dollars. — New York City Record, 1898, p. 5157.

says Seth Low, speaking of New York and Brooklyn, "that either city would suffer under existing conditions by the abolition of its common council."¹ Mr. Low utters this with something of a tone of regret, but others have boldly and cheerfully advocated this very step. Says one recent writer :

Because legislative bodies are always inefficient administrators, it does not follow that administrators are poor legislators. . . . It has yet to be shown that aldermen have ever filled a useful function in a modern American city.²

Doubtless this last is the position of an extremist, which would meet little endorsement. Nevertheless, the conspicuous facts of the great reduction of the power of the council, of the progressive degeneration of its character, of the growing distrust with which it is viewed, challenge consideration. They appear to demand a thorough study of the arguments which have been advanced in favor of the transfer of the centre of gravity of municipal administration from the council to the mayor. They confront us with such questions as these : Is this transfer of power consistent with democratic principles? If not, are we yet forced to it by the unripeness of our city populations for democracy? Is the movement a temporary or a permanent one? If we have gone too far in taking a large part of properly legislative work from the council and giving it to the executive, can we partially retrace our steps and secure a practicable division of the legislative from the executive sphere? Can we prevent the council from swallowing the mayor, to use Dr. Albert Shaw's phrase,³ if we attempt to check the mayor in his process of engorging the council? If this balance of powers be found impossible, is not perhaps the logical and democratic solution to be found in making a numerous representative body, rather than a single individual, the controlling and responsible authority in municipal government? We shall best be able to

¹ Seth Low, "The Government of Cities in the United States," *The Century*, XX, 730.

² H. DeF. Baldwin, "Municipal Problems," *Municipal Affairs*, III, 3.

³ Shaw, *Municipal Government in Great Britain*, p. 63. He thinks that the one result or the other is inevitable.

consider these questions, if we take up, one after another, the arguments which have been brought forward in favor of increasing the power and responsibility of the mayor.¹

II.

We are first of all confronted with the argument from our own municipal experience. We are told that the American city council has proved itself in practice unfit to be trusted. Its powers have been taken away only because it has abused them. Whatever methods of election or of organization have been tried, it has been found impossible to secure good councilmen. The system of council rule worked well enough in the early days, with simple administrative problems and a comparatively high qualification for the electorate. But with the introduction of universal suffrage, the influx of foreign immigrants, the intrusion of party politics and the growth of municipal functions, the system broke down completely. These statements are usually made as if they were self-evident commonplaces of history. Seldom is any detailed study brought to their support. But historical evidence must be handled with the greatest care in order to be conclusive. Failure rightly to analyze causes and effects and to take account of differences in conditions is apt to vitiate our reasoning. Not yet have we sufficient knowledge of municipal history or sufficient outlook into the future to justify dogmatic conclusions as to the relative success of council rule and mayor rule. A few considerations may be presented, however, which show how comparatively weak is this argument in favor of the mayor system from our experience in city government.

It is very generally admitted, nor need we stop to prove, that up to the end of the third or fourth decade of this century

¹ These arguments have been presented by so many different writers and are so generally familiar that it has not seemed necessary, in most cases, to quote exact phraseology or to give references to specific authorities. I have tried to state the various arguments in favor of the mayor system as clearly and forcibly as possible, and have not consciously omitted any point that appeared to have weight.

American cities, which were then usually under the practically absolute control of the council, were more honestly and, in proportion to the technical advancement of the time, more efficiently governed than they are to-day. Indeed, the influence of the example of our federal Constitution must be looked upon as probably the chief explanation of the movement to withdraw executive powers from the council. In 1829 New York was already a very considerable city, having a population of more than 200,000 inhabitants. The city convention which met at that time was unable to advance charges against the municipal administration in the faintest degree comparable to those which are made every day against the government of our present cities possessing equal population. Nevertheless, some evils were found ; and the natural remedy seemed to the charter framers, imbued with the principles of our national and state constitutions, to separate the executive from the legislative powers. But we have not the slightest proof that they correctly diagnosed the disease or prescribed the right remedy. From that time on, in fact, both council and administrative officers degenerated rapidly; and while this may be partly explained by the general lowering of the tone of politics and by the great influx of foreigners, no small share in the demoralization of the council, at least, was doubtless due to the weakening of its powers. After the still greater reductions in its authority by the charters of 1849 and 1857 and by the growing interference of the state legislature, the council fell yet more markedly in character. Each abuse of some remaining function was made the signal for the transfer of that function to the state government or to an independent commission.¹ There was no attempt to concentrate the powers thus taken away from the council in the hands of the mayor, or indeed to establish in any way harmony of policy and centralized responsibility for action. The result was a municipal government so disorganized that inefficiency and corruption could not but

¹ For fuller description of the process by which the council in New York was deprived of its powers and of the effects of that deprivation, see the writer's *Finances of New York City*, chaps. iii and iv.

increase appallingly. It was with a view to bringing some order into this chaos that later legislation gradually placed the various branches of the city administration under the control of the mayor.

The history of the decay of the authority of the municipal assembly has been much the same in other cities as in New York, though the process has gone on with different degrees of rapidity and completeness in the various municipalities. We Americans too often fail to seek and to root out the fundamental causes of our political evils. We rush for some external palliative, some patent nostrum. Not one of the steps by which our city councils were robbed of authority was taken on the basis of careful study of political principles. Each was a makeshift remedy for an immediate ill. Nor was there usually the faintest evidence that any of the better results which occasionally followed such changes were really due to them. No form of government could, under the conditions then any more than now, give thoroughly good administration. Had the council been left with the main authority, we should undoubtedly have had poor enough government; but there is no certainty whatever that it would have been better under the most thoroughgoing one-man sway. We have, indeed, every reason to believe that a continuation of the earlier council rule would have been better than the system which actually became established in most of our cities during the years from about 1840 to 1880—a system characterized by hopeless diffusion and confusion of power and responsibility, legislative as well as executive, among state legislature, council, mayor and well-nigh independent administrative officers and boards. Every candid thinker must admit the truth of this statement; yet we are too prone to forget that the form of government for whose evils concentration of power in the mayor was introduced as a remedy was very far from being genuine council government. Infinitely better is it to centralize authority and responsibility than to scatter and dissipate them; but it does not immediately follow that it is better to centralize them in one man than in a representative council. Because council

government was not perfect and because mayor government has been more satisfactory than the hodge-podge which preceded it, many have drawn the quite unwarranted conclusion that rule by the council is necessarily and always inferior to rule by the mayor. We have at present in the United States no city where the council is the one controlling power, so that comparison of this system with the system of one-man government, both working under similar conditions, is impossible. Some approach toward the council system is, indeed, found in a few of our cities; and in those where the council has the greatest power, such as Minneapolis and Atlanta, the integrity and efficiency of the administration, according to competent local observers, compare most favorably with those of other American cities.¹ But it cannot be pretended that this evidence constitutes a strong argument in favor of the council system — any more than the experience of other cities with corrupt councils or with mayors, good or bad, is conclusive as to the best form of city government. There has been far too little method in American municipal experiments, and far too little scientific recording of their results, for us to hope to gain much information from our municipal history.

The fallacy of the line of reasoning which we have been criticising is aggravated by the fact that, in pointing out the results which have come from centralizing power in the mayor, no account is made of the growth of public sentiment demanding better government and compelling the choice of worthier men for office — men who would have made improvement in the administration under any form of organization. Flagrant abuses from time to time stir up the “good citizens,” who are always in the majority, if they will only act and act together. A wave of reform overturns with the same sweep forms and individuals; for the American reformer is never content unless he tinkers the governmental machine at the same time that he puts new men in charge of it. The improvement which comes perhaps solely from the change of men is then attributed

¹ Minneapolis Conference for Good City Government, p. 93; Baltimore Conference, pp. 96-101.

primarily to the change in form. That this is a fairly correct description of what has taken place in recent years in some American cities which have introduced the mayor system seems to be evidenced by the fact that the character of the government has often been but temporarily improved after the change, or at least has fluctuated with the rise and fall of the reform spirit among the citizens. It is too early to judge finally the practical working of the system. Undoubtedly there has been some permanent increase in the interest of the people in municipal government and in their devotion to the civic welfare, and this fact will tend in itself to give us a higher level of city administration. But the path of one-man rule is not all rose-strewn. Many bad mayors have got into power and, by the abuse of their immense prerogatives, have given administration scarcely equalled in extravagance, inefficiency and corruption, during the worst periods of the earlier régime. Nor have the people always been able, — as they should have been, according to the theory of the one-man system, — by at once placing the blame where it belonged, to overthrow the unworthy ruler and establish an upright one in his stead. The untrammelled mayor, with his enormous patronage, his control of the election machinery, his ability often to conceal from the public the true character of his administration, has not unfrequently succeeded in securing reelection for himself or triumph for his ring. Only a few instances of the unsuccessful working of mayor rule can be cited from among the many whose existence any candid student of recent municipal history must admit.

It must be confessed that Boston has for the most part elected efficient and upright mayors during recent years, but other cities have not been so fortunate. In New York City the prominence of the mayoralty has at times driven even Tammany Hall to put up good men, such as Grace and Hewitt. But within this very decade, in the face of the growing reform sentiment, that organization has elected to the mayor's chair for two successive terms an "illiterate and obscure man" who filled all vacant offices with "adventurers of the lowest character"; while under the rule of his successor, also elected by

Tammany, a legislative investigating committee unearthed in the police department scandals such as scarcely any other civilized city has ever known.¹ The first election under the Greater New York charter resulted in the defeat of Seth Low, well known to have been the best mayor Brooklyn had ever had, by a man who has followed almost absolutely, in his appointments and his general policy, the dictation of the Tammany boss and whose connection with the Ice Trust has been by no means creditable.

In Brooklyn the first election under its famous "model charter" brought Mr. Low into the mayor's chair, but for eight years after he left office "mayors were elected, and appointments were made by them, on party grounds";² while the administration of the city was "believed to be feeble and untrustworthy, its public moneys and franchises to be unscrupulously wasted. . . ."³ This last is the admission of a strong advocate of the mayor system, who insists that it was even then working well in Brooklyn, for the reason that the people knew precisely who was at fault, but who fails to show us why they did not straightway put better men into office.

Philadelphia, too, since the great increase in the power of the mayor in 1887, has found it impossible, with perhaps a single exception, to elect good men to that office, while the character of the council has fallen lower than ever before.⁴ A state investigation, made in 1897,⁵ revealed many abuses — favoritism and extravagance in letting contracts, interference by the police in elections and connivance by them in all sorts of violations of law and, above all, a complete undermining of the civil service reform system, this last evil being emphatically corroborated by the secretary of the National Civil Service Reform Association. The recent attempt of the mayor and

¹ E. L. Godkin, "The Problems of Municipal Government," *Annals of the American Academy of Political and Social Science*, IV, 857.

² D. B. Eaton, *The Government of Municipalities*, p. 188.

³ E. M. Shepard, "The Brooklyn Idea in City Government," *Forum*, XVI, 38.

⁴ *Mayor vs. Council*, p. 28, quoting A. K. McClure, editor *Philadelphia Times*.

⁵ "Notes on Municipal Government," *Annals of the American Academy of Political and Social Science*, X, 122.

city officers to blackmail Mr. Wanamaker illustrates the character of the administration ; while the lease of the gas works in 1897 appears to have been accompanied by wholesale corruption. Philadelphia's expenditures rose from \$13,273,000 in 1887 to \$23,491,000 in 1895.

Similar, too, has been the experience of several smaller cities which have changed to the one-man system. Indianapolis, since the adoption of her centralizing charter in 1891, has not elected a single mayor who has obeyed the spirit, or even the letter, of the laws regulating the civil service. All appointments have been made on strictly partisan grounds.¹ Four years after Quincy, Mass., greatly increased the power of the mayor, Mr. Gamaliel Bradford, who had specially urged the change, was forced to confess that "extravagance of expenditure, local jobbing and caucus politics are as rampant as in any other city in the state."² In Cleveland the mayor has abused his appointing power for the sake of aiding his own political ambitions.³ Nowhere, in fact, can the advocate of mayor domination, if he be candid, point to anything like thoroughly and continuously good administration where that system has prevailed. Temporary improvement has often followed a change to mayor rule ; permanent improvement even has resulted in certain cases from doing away with the anomalies and complexities of earlier charters ; but the actual success of the centralization of power has fallen very far short of fulfilling the promises which were held out to us.

III.

We must conclude, then, that American experience in itself does not clearly prove the superiority of the mayor system over the council system of city administration. What may we learn from the experience of Europe ?

¹ Mayor *vs.* Council, p. 27 ; S. G. Swift, in Indianapolis Conference for Good City Government, 1898.

² G. Bradford, "Our Failures in Municipal Government," *Annals of the American Academy of Political and Social Science*, III, 699.

³ Circulars of the Cleveland Municipal League.

It is admitted on all sides that the towns of England, of Germany, of France, even of Italy, are far better governed than our own. They have well-paved and clean streets, pure water, proper sewage disposal, scientific health administration, honest and efficient police. They have extended their functions more widely than American cities; they have secured for their people cheap gas and electricity from municipal plants, pure food from dealers using municipal markets and abattoirs, cleanliness from public baths and wash-houses. The office of city councillor in these European municipalities is an honor, not a disgrace. In the council chambers of Glasgow, Birmingham, London, Berlin, Dresden, Paris sit statesmen prominent in national politics, scientific and professional men of world-wide fame, leading men of wealth and business, well-known philanthropists, side by side with the best representatives of the working classes. The executive officials are men of high professional ability and experience. Scarcely a whisper of scandal is ever breathed touching the integrity of city authorities, legislative or executive. All these results, so different from those which are met with in American cities, are found under a system of most thoroughgoing council rule. To make clear how complete is the control of the council, it may be worth while here to describe briefly its position in the government of the municipalities of the three leading European countries, even at the risk of repeating much that is more or less familiar to students of municipal affairs.

While in Germany and France the control of the council over the executive is perhaps almost as absolute as in Great Britain, it is in the latter country that the council takes the most active and direct part in the executive administration.¹ It elects the mayor and all other executive officers. The mayor's position is one of dignity, rather than responsibility, though he is expected to have had long experience in the council, and his influence in the various committees, of all of which he is an ex-officio member, is usually considerable. He has no veto. The other leading executive officers are professional adminis-

¹ Full description in Shaw's *Municipal Government in Great Britain*, chap. ii.

trators, serving for indefinite terms, but strictly subject to the direction of the council. The council divides itself into committees corresponding to the various departments. These committees actually consider and decide all administrative questions in which discretion is involved. A thousand and one matters which in an American city would be disposed of by executive officers — the appointment of a clerk, the increase of a minor salary, the suppression of some relatively unimportant specific nuisance, the approval of a small bill — come before the council committees. Not that the executive has no power or influence: the trained and experienced administrative officials not only carry out the will of the council and its committees, but advise and guide them. The council or its committee for the most part simply controls and approves: it does not hamper the executive officers in the proper performance of their duties. The committees themselves are subject to the general body of the council, by which their every action, which must be recorded in written minutes, has to be finally approved. The council thus controls and directs the entire administration of the city, and itself participates in it to no slight degree. It is the administrative, as well as the legislative, head. The city government is a unit, and the council is its life.

We can probably learn less from French municipal organization than from that of England or Germany. Paris,¹ whose achievements in administration are at the same time the most splendid and the best known to Americans, is very largely ruled by two executive officers, the prefect of the department of the Seine and the prefect of police, both of whom are appointed by the central government and are by no means thoroughly under the control of either the people of the city or the council. There is little doubt that the success of their administration is due rather to the high training and efficiency of the French national bureaucracy than to the system of centralized power *per se*. The most ardent advocate of municipal centralization would scarcely urge it in connection with such extensive deprivation of home rule as exists in Paris.

¹ Shaw, *Municipal Government in Continental Europe*, pp. 23-25.

In other French cities¹ the council chooses from its own body the mayor and a number of executive "adjuncts." The mayor is, indeed, to some degree independent of the council and has much greater power than in England. He assigns administrative tasks to his adjuncts, and himself appoints and directs the other executive officials. He has, however, no veto. The council, moreover, has a far more direct and thorough control over the administration than in America, although it does not itself perform such relatively minute administrative functions as does the English council. "The mayor and his adjuncts constitute in effect a standing executive committee of the council." Concerning the actual working relations between legislative and executive authorities, as well as concerning the concrete results achieved for the welfare of the French towns, we have less full and definite information than could be desired; but we have reason to believe that in efficiency and purity their government greatly excels that of our own municipalities.

In the German city² we find a primarily executive board (the *Magistrat*), side by side with a primarily legislative council or representative assembly. But the two work in the closest harmony and conjunction, not independently; while the ultimate authority for the entire administration rests with the latter body. It elects all the members of the *Magistrat*, half of whom are paid professional administrators holding for twelve years, the remainder unsalaried and having a six years' term. The council may remove these executive officers, but only for cause and subject to appeal to the courts. The actual relations between the council and the executive board are essentially those which exist between a parliament and its cabinet. The *Magistrat* is at the same time the leader and the servant of the legislative body. It initiates nearly all measures which

¹ Shaw, *Municipal Government in Continental Europe*, pp. 165, 173-176.

² Shaw, pp. 311-319. There are minor variations in organization among the various states and provinces, but the general principles are everywhere the same. The description here given applies especially to the cities, including Berlin, of the seven older Prussian provinces. See *Städteordnung der sieben östlichen Provinzen*.

come before the council : it guides legislation, as well as carries on administration. The council, on the other hand, has the most complete control over the *Magistrat* and the administration. It appoints (or confirms) the lower executive officers, as well as members of the *Magistrat*. Its approval is necessary for every act of the municipality, save the most unimportant. Nor is its action purely perfunctory : the council is a vigorous, aggressive, critical body, which in very fact decides all important discretionary questions and vigilantly holds the executive responsible for every detail of administration. At every session members of the *Magistrat* attend to propose and discuss measures ; and their presence makes it easy for the council to question and direct them as to the departmental services. Nor is this all the share of the council in the administration. At the head of each executive department is placed a committee composed of a few members of the chief executive board chosen by that body, a larger number of members of the council chosen by it and usually a few additional citizens selected for their special ability for the particular service. These committees take almost, if not quite, as active a part in the detailed work of administration as do the English council committees, although their action is strictly subject to the approval of the executive board. The councilmen, through their membership on these committees, acquire a familiarity with administrative matters which makes it possible for the council, in its general sessions, to exercise far more effective control over the *Magistrat* than would otherwise be the case. We thus see that the German municipal organization has all the advantages afforded by the cabinet system in national government, without the disadvantage, so often experienced, of instability on the part of the executive. Skilled leadership in legislation and trained executive service are combined with thorough control by the people, through their representative assembly, over the entire government, on its administrative as well as on its legislative side.

The cities of the leading European countries have, then, all adopted the policy of making the council the one dominating

responsible authority in municipal government. They have committed the duty of carrying out the council's commands to trained and permanent officials, but these are wholly subject to the control of the representative body. Responsibility for the city government is perfectly definite. The duty of the citizens is completed when they have elected good councilmen. It remains only for them to keep a watchful eye on their representatives, to bring public opinion to bear upon them, to reward or punish them at the elections. Other important features of the organization of European towns are that the council is always a body of considerable size and that its members hold for relatively long terms, so that they have time to become experienced in their work; while in England and Germany this advantage is sought still further, by providing that only one-third of the councilmen shall retire at one time. All of these devices doubtless contribute to the success of council government, and all of them may probably be wisely copied in America. The most essential thing, however, so the citizens of the municipalities over the ocean themselves assure us, is the thoroughgoing centralization of power and responsibility in the representative council.

But we are told by many American municipal reformers that the success of European city governments is due not so much to the form of their organization as to the favoring conditions under which they work. Their system of organization is, it is said, at least quite unfitted for American cities with their far more difficult conditions. Nay, more: if, as is likely, conditions abroad shall change to become more similar to our own, Europe may yet have to take lessons in municipal government from us.

How far are these statements to be accepted? Doubtless there are important differences in the conditions under which European and American municipalities work that do in part account for the differences in the results accomplished. But has not the importance of these differences perhaps been somewhat exaggerated? May not the nature of the European municipal organization itself, after all, have something to do

with the superiority of its working? May there not be such a thing as a system which is best under all conditions? If the statesmen of countries differing widely in the character and history of their people and institutions have, after careful study and experiment, worked out for their respective city governments the same broad principles of organization, are we justified in rejecting offhand the reasoning which they have followed and in neglecting the experience of the municipal governments which they have established? Even though our conditions be more difficult to cope with than those of European towns, does it follow that they demand an entirely different form of organization? Has it ever been satisfactorily proved that the mayor system of government is an easier one to work successfully against opposing circumstances than the council system? Ought we not to seek to correct our unfortunate conditions by more direct means, to strike at the very root of our troubles, rather than to attempt to adjust organization to them? Let us consider the nature of the differences between American and European municipal conditions which are pointed out to us. They may be grouped under three heads: (1) differences in rapidity of growth; (2) differences in the character of the electorate; (3) differences in the general political spirit of the people, and especially in the spirit and methods of political parties.

1. It has already been sufficiently demonstrated by Dr. Shaw¹ and others that the superiority of the administration of European cities is not to be explained by the statement that they have grown less rapidly than those of America and have had more time in which to work out their problems. While it is true that in the beginning of this century the towns of Europe were much larger than our own then were, yet they had at that time made scarcely the faintest beginnings toward adopting their present form of organization or toward properly performing their present functions. Hence they had no accumulated ages of experience which were denied to us. Moreover, the growth of population in the cities of Europe during the

¹ Shaw, *Municipal Government in Continental Europe*, pp. 293-297.

past half-century has been almost, if not quite, as rapid as in those of the United States. On both sides of the Atlantic the great problems of city administration are essentially of recent origin.

2. Greater stress is ordinarily laid upon the differences in the character of the electorate between European and American cities. In Great Britain and Germany, at least, the suffrage is confined to taxpayers, while in the United States universal manhood suffrage prevails. Moreover, our municipal voters, it is said, are more ignorant, more heterogeneous and less devoted to the welfare of their city, the immense proportion of the foreign-born especially tending to lower the level of citizenship. What may be said of these arguments?

Concerning the restriction of the suffrage, it may first of all be pointed out that property tests for the municipal franchise do not exist in France, yet municipal government in that country is almost certainly much superior to our own. Moreover, in England and Germany such tests exclude a much smaller part of the adult male population than some of our writers have apparently supposed. In England every person who for the space of one year owns or rents premises of any sort, however insignificant, in a municipality, is taxed in proportion to their rental value. Provision is made that landlords may compound for the taxes of their tenants. But the occupier, whether he pays the tax himself or has it paid for him, is entitled to the municipal franchise. We find that in Manchester almost exactly one person in six has the right to vote,¹ as compared with a proportion of about one in five in New York City. In Prussian cities, too, taxation reaches most adult men; and there is provision by which, for the purposes of suffrage, a minimum tax payment is attributed to practically all others, even when the sum is not actually levied. The proportion of voters to the total population is slightly larger in Berlin than in Manchester (17.2 per cent).² To be sure, the three-class

¹ Official Handbook of Manchester and Salford, 1899, p. 348. Cf. Shaw, *Municipal Government in Great Britain*, pp. 39-44.

² Jastrow, *Das Dreiklassensystem* (Berlin, 1894), p. 114.

franchise system of German cities gives to the wealthier citizens an immensely preponderating influence—an influence which they sometimes abuse—but it is not found that the voters of the lower class send to the city councils men by any means so unworthy as those who regularly obtain seats in our municipal legislatures. In neither Germany nor England is any higher property qualification demanded from members of the council than from voters, though in the former country it is required that one-half of the members elected by each class of voters shall be house-owners.

Although thus their importance is often exaggerated, these limitations on the suffrage, both in England and Germany, undoubtedly do exclude the most worthless and dangerous elements from the electorate. Universal suffrage has scarcely approved itself as the wisest system for our American cities, where so many citizens have no fixed abode or means of support and are ready to make merchandise of their political rights. But the evident remedy for our difficulties is to take away the ballot from the lowest grade of citizens, rather than to introduce the mayor system of municipal organization. We must observe, however, that the effect of the European tax-paying requirements is far different from that which, under our present system of taxation, would result in American cities from confining the franchise to taxpayers, as has been so often advocated by would-be reformers. The proportion of men who pay taxes is very much smaller in our municipalities than in those of Europe, not because the number of citizens able to pay is less, but because our tax system falls so much further short of reaching all citizens. It is stated that in Boston only 28,000 out of 73,000 voters pay taxes on property.¹ New York City had approximately 332,000 voters in 1890, but less than 15,000 names appeared on the rolls of personal property taxes,² while so few New Yorkers own real estate

¹ F. Morison, "Municipal Government ; a Corporate, not a Political Problem," *Forum*, XIII, 788.

² Quarterly Report of Commissioners of Taxes and Assessments, New York *City Record*, 1889, p. 3233.

that we cannot doubt that the total number of taxpayers in that city bears a much smaller ratio to the number of voters than in Boston. Under such circumstances, no European municipality would dream of limiting the suffrage to taxpayers. To do so would be to exclude an immense number of intelligent tradesmen and skilled workmen, and even many comparatively well-to-do professional men. Such figures as those just cited merely indicate the great desirability, not only of more thorough assessment of our present taxes, but of the introduction of new forms of taxation which shall reach immediately practically all adult males, save paupers. The payment of a direct tax to the city would undoubtedly increase the interest of the citizen in its welfare, even though at present he may in actual fact, by the process of shifting, be bearing his proper share of the public burdens. If such general taxes existed, there could be no harm in excluding from the polls those who failed to contribute. Indeed, were such a change in our methods of taxation adopted, it might become a politically feasible proposition to establish a tax-paying requirement for the suffrage. The number who would be shut out under such a franchise in American cities would probably be no larger than in European towns; for we have no reason to believe that poverty and instability of life are more prevalent here than there.

The ignorance of our city population, serious as it doubtless is, is not so much greater than that of the citizens of European towns as has often been imagined. If illiteracy be taken as the test, we shall find that in New York City the proportion of the population over ten years of age who are unable to read and write is 7.7 per cent; in Chicago, 4 per cent; in Brooklyn, 3.2 per cent; in Boston, 5.7 per cent; in San Francisco, 5.3 per cent.¹ In all England and Wales, on the other hand, 3.7 per cent of adult males are unable to write their own names; in France, 4.9 per cent; while in Germany the proportion is far less, only .11 per cent.² We must notice, moreover, that illiteracy in

¹ U. S. Census, 1890 : Population, I, lvi, lviii.

² Statesman's Yearbook, 1899, pp. 33, 516, 582.

American cities is almost wholly confined to persons of foreign birth, and doubtless — though this is not shown statistically — largely to those who have not become naturalized and hence are not voters. In most of our cities not one in a hundred persons over ten born of native parents is illiterate ; in New York the proportion is one in two hundred. Those born in this country, but of foreign-born parents, show but a shade more illiteracy ; while of the foreign-born, from six to fourteen per cent are unable to read and write. Proper educational tests for the suffrage, which fortunately are already being adopted in some states, coupled with a test of literacy in connection with naturalization, appear to be the natural and obvious remedies for the ignorance of our electorate, rather than any device of municipal organization. Such tests would, if properly enforced, eliminate much of the most ignorant, poor and corrupt element, even without the additional tax-paying requirement above suggested. No one can doubt for a moment that our own native-born municipal voters are on the average fully as well fitted for self-government as the citizens of any European city ; for sound common sense, independence of thought and action, and interest in public affairs are admittedly marked characteristics of the masses of the American people.

In further refutation of the argument that the superiority of the city voters chiefly explains the good government of foreign municipalities, it should be pointed out that in England the requirements for the municipal suffrage have been practically unchanged since the adoption of the great Municipal Corporations Act of 1835. At that date poverty and ignorance were vastly more prevalent there than they are to-day in America ; yet from the very beginning of the reform era then inaugurated the English boroughs were honestly and efficiently governed. As late as 1873 nearly one-fifth of the adult males of Great Britain were unable to write their names, while the proportion fell only to one in eight by 1883 ;¹ yet during the decade between these two years some of the most noteworthy achievements of municipal enterprise were being made.

¹ Statesman's Yearbook, 1899, p. 38.

Undoubtedly the presence of an immense number of the foreign-born in our cities has tended to make the problem of good government a more difficult one than has confronted European municipalities. In nearly all of our great cities between two-fifths and three-fifths of all adult males are of foreign birth, while often fully half of the remainder are sons of foreign-born parents. To be sure, only 58 per cent of the foreign-born men in the country have become naturalized, and in almost none of our largest cities is the ballot given to them before naturalization. We are thus spared a certain number of unsafe voters—those most recently arrived, and hence most ignorant and most indifferent to public affairs. Nevertheless, as it is, we find that from one-third to one-half of all persons entitled to the municipal suffrage were born on foreign soil.¹ Though many of these naturalized citizens are intelligent and worthy,—a fact which we sometimes overlook,—great numbers of them are poor, ignorant and lacking in familiarity with and devotion to our institutions and principles of government. Their ballots are too often cast under the influence of corruption, clannish prejudice or the personal control of clever and unscrupulous ward politicians.

We must not, indeed, imagine that European towns escape entirely from corresponding difficulties. The immense influx to the cities has brought to them, if not many of foreign birth, great masses of the most poor and ignorant of the rural classes—people unfamiliar with city life, unaccustomed to independent political action, wanting in devotion to their adopted city. It must be granted, however, that the problem of our cities is the more serious. But ought we not to seek for a more direct solution than that of centralizing power in the mayor? Already we are beginning to restrict the immigration of undesirable persons; and for political, as well as economic, reasons this movement may well go farther. Existing naturalization laws should be more strictly enforced. The period of residence

¹ U. S. Census, 1890: Population, II, lxvi, 282. The proportion in New York is 47 per cent; in Chicago, San Francisco and Cleveland, about 45 per cent; even in Boston 30 per cent.

required before citizenship might perhaps well be lengthened. There is nothing, moreover, to prevent the states from requiring as a qualification for suffrage longer residence or the fulfillment of severer conditions on the part of foreigners than are demanded for naturalization. We have already pointed out that a proper educational test for the franchise would exclude chiefly the foreign-born, and beyond doubt the most dangerous of them.

3. Finally, it is urged by those who criticise the council system that European and American cities differ greatly as regards the political spirit of their citizens, the difference showing itself especially in the relation of parties to municipal government. In Europe there is, we are told, both in national and local politics, a ruling class of high intelligence and education and long political experience. It is composed largely of the more aristocratic, wealthy and leisured citizens. These men are willing to give time and energy to the public service. The common people, more from traditional deference than from conscious intention, are willing to choose members of this class for their officers. Partly because of this relation of classes and partly for other reasons, political parties in Europe are to a great extent free from the evils which characterize our own. They seek no spoils ; they refrain almost wholly from interference in purely municipal affairs. In America, on the other hand, all these conditions are reversed. There is no recognized governing class. The most intelligent are wholly engrossed in the rush of private money-getting. The masses have no deference for the best and ablest citizens, but follow rather corrupt bosses and demagogues. National parties, chiefly for the sake of patronage and illicit gains, enter the municipal field and completely banish proper municipal issues. It is these differences in political conditions, we are told, which chiefly explain the superiority of European municipal administration, which make possible abroad the selection of good and able councilmen and the success of a system which in this country is foredoomed to failure.

Unfortunately these statements, though often exaggerated,

possess no little truth. The neglect of both national and municipal politics by the more educated and well-to-do citizens is beyond question a prime cause of our political ills. In Europe the existence of an upper class of long standing and the establishment, as the result of an older civilization and of the exhaustion of opportunities for rapid material gain, of other ideals of achievement than that of amassing wealth, have naturally prepared a body of citizens fitted and willing to take part in solving the great problems of modern government. The absence of these conditions in America, as well as other causes which it is not necessary to repeat, have brought it about that our own upper classes fall far short of properly fulfilling their political duties. The remedy for this unfortunate state of affairs is clear, though it may not be easy : it is direct, not indirect. We can hope for better politics only in proportion as our citizens, of all classes, rise in political intelligence and morality. Our ablest and best educated men must learn to take a proper interest in public affairs and to devote proper effort to their management. The great body of the citizens must learn, not from blind deference, but from deliberate purpose, to secure the highest ability for government, to vote for the wisest and most upright of the community, and to trust them to advise as to general policies and to work out details of government ; while the masses of people themselves must become better fitted than they are to-day to decide broad political issues. But this change in the political spirit of our people can come only by gradual growth. The results which it will bring can be accomplished by no legerdemain. Our citizens cannot be tricked, by any device of organization such as centralizing power in the mayor, into securing better government than they deserve ; although undoubtedly a bad form of organization may hinder them from getting as good as they deserve. Fortunately, everything points to the belief that, as our country is growing older, as life is becoming more stable, this fundamental improvement in the character of our citizenship is steadily going on. To hasten its march is the foremost duty of the municipal, as of every other political, reformer.

The corrupt interference of national political parties in our municipal governments, which has with justice been so severely censured, is not an independent political phenomenon. It is not due to historical accidents from which a more kindly fate has spared the cities across the sea. It is but one phase of the evil condition of our party life. That evil condition is partly due to other causes, but most of all to that low standard of political thought and morality among our citizens of which we have just been speaking. In proportion as our municipal voters rise in this regard will they recognize the absurdity and wickedness of allowing national party issues and organizations to determine, not alone who shall stand at the head of our city administrations, but even who shall perform their simplest and most non-political services, and to fashion the entire policy and administration of our cities. The exclusion of parties from municipal politics is in no way furthered by centralizing power in the mayor: on the contrary, as the late Dorman B. Eaton so clearly pointed out, if any change in organization can aid toward that end, it is the concentration of authority in the council.¹ Under the one-man system an occasional wave of reform may bring a non-partisan into the mayor's chair; but the immense power and patronage of that position will make it a most tempting prize for the great parties and will tend continually to inflame party spirit in the city elections. Once a partisan mayor is placed in office, he will, as has been so often seen in New York, Brooklyn and other cities, use all his great authority for the advantage of himself and his party at the next election, and will thus tend to draw party lines still more sharply. On the other hand, a city council may be so constituted as by its mere organization to hinder partisanship. If only a part, say one-third, of its members should be chosen at any one election; if the single-district system of representation should give way to election on general ticket from the entire city or from a few large districts; especially if proportional representation should be intro-

¹ Eaton, *The Government of Municipalities*, chaps. x and xiii. The writer is indebted to Mr. Eaton's book for many valuable suggestions.

duced, the national parties would probably soon find themselves unable to gain much even by repeated victories at the polls, and would gradually withdraw from municipal politics. It is noteworthy that prior to the English municipal reform of 1835 national parties interfered most extensively and corruptly in borough affairs; but that, after the establishment of an all-powerful council with provision for only partial renewal of its membership at each election, party influence largely ceased in the choice of councilmen and wholly disappeared from the municipal civil service. It is probable that the absence of corrupt partisanship in European cities, instead of being the cause of the success of the council system, is largely the result of that system itself.

The considerations in the preceding paragraphs seem to show that more fortunate conditions alone can scarcely account for the superiority in the results of European municipal government, under the council system, as compared with any which we have achieved in America. So far as our conditions are more unfavorable, — as regards the suffrage, the intelligence and homogeneousness of the electorate, the political spirit of the people and the attitude of the parties, — the remedy lies in the direct and obvious means that have been suggested, rather than in the centralization of power in the hands of the mayor. In a later paper, moreover, the attempt may be made to prove that the policy of intrusting the chief power in the municipality to a single individual is inexpedient, on principles which, if correct, apply apparently with almost equal force, whatever may be the character of the electorate or the conditions under which the administration works.

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